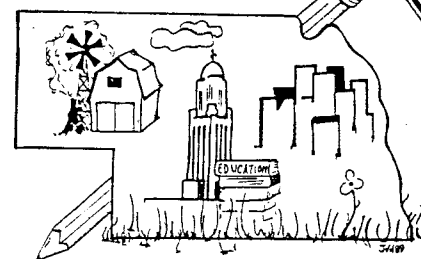


# The Nebraska Observer

Vol 4, No. 6 · June 28, 1989



formerly WHAMO

Time Has Come for County Grand Jury

## Franklin Hearing: Anatomy of a Non-Inquiry

by Frances Mendenhall

The Legislature's special committee investigating the collapse of Franklin Community Credit Union held its first hearing on June 22. The committee heard seven hours of testimony from witnesses concerning whether either the Omaha Police Department or the state Attorney General's office had adequately investigated reports from the state Foster Care Review Board related to child sexual abuse. It was the first time extensive information from an official source had been made available to the public about allegations of child sexual abuse by associates of the director of the failed credit union, Larry King. The credit union was closed by the National Credit Union Association last November 4.

### Murders of Children

Included in the Foster Care Review Board report which the committee members had, but which was not available to the public, was an allegation made by a child abuse victim that she had witnessed the murders of two other abuse victims.

Regarding how the children were "accessed," State Foster Care Review Board executive director Carol Stitt did not draw any conclusions as to whether the accessing of children as she was aware of it, happened with or without a plan. As Stitt reconstructed stories heard from alleged victims, children in certain Omaha institutions were allowed to go out on outings, or to be involved in working for King's catering service.

Stitt had received a call from a caseworker at Uta Halee Home for Girls who spoke of inappropriate activities. Stitt had heard similar allegations which had gone to the Omaha Police Department, but had not been acted upon.

Officer Chris Carmean, who in 1988 was working in OPD's criminal investigation division, testified that he began investigating information relating to the case referred to by Stitt in June of 1988, when he interviewed the alleged victim, who was then at Richard Young Hospital, and authored a report. Carmean said he believed the testimony of the girl from Richard Young to be credible.

Before that he had been involved in an investigation of possible criminal conduct in an apartment possibly rented by Larry King. The event under investigation was a photo session in an apartment at Twin Towers

apartments by a free-lance photographer of a juvenile female in which she was coaxed to disrobe more and more. The girl's mother was present.

Stitt's supervisor, Foster Care Review Board vice chair Dennis Carlson, contacted OPD and Officer Carmean in July, 1988 regarding the investigation. About the same time, he began talking to the state Attorney General's office about the investigation, believing that it was possible that no investigation was being conducted by OPD. Carmean had described the political sensitivity of the investigation, and expressed concerns about the relationship between Police Chief Robert Wadman and Larry King. Carlson recalled being told that they had lied to the chief and told him that they were not investigating Larry King.

### No Reports After July 1988

In September 1988, Carmean was transferred out of the robbery/sex assault unit of the criminal investigation division. He never reinterviewed the victim from Richard Young and no further documentation of an investigation was presented from OPD after July 5, 1988.

Meanwhile, the investigation that the Attorney General's office was presumed to be conducting was placed in the hands of that office's investigator Thomas Vlahoulis. Vlahoulis, who produced no written reports, repeatedly insisted that their office had adequately investigated the matter, but under questioning by State Sen. Ernie Chambers and others during the June 22 hearing could cite only that he had looked up records relating to King's business activities and his wife's connections. Assistant Attorney General Bill Howland continued to reassure Dennis Carlson that the investigation was proceeding.

### No Attorney General Probe

Kirk E. Naylor, the committee's counsel who conducted the hearing, repeatedly tried to determine from Vlahoulis what he did or did not do in the way of an investigation. Getting little in the way of a meaningful response from Vlahoulis, Naylor finally put it in his own words: "The Attorney General's office did not conduct any investigation, much less a thorough investigation regarding sexual allegations against Larry King."

The Attorney General's office has also

refused to turn over its records in this matter in response to the Legislature's committee's subpoena duces tecum. The committee plans to get a court order from the Lancaster County District Court to obtain the documents later.

Further hearings by the committee are anticipated, including testimony from others in the Omaha Police Department.

### Investigating a Non-investigation

Few possibilities for prosecution of alleged sexual abuse in this case remain open. The statute of limitations has run out on most or all of the alleged events related to the abuse. The Attorney General and others from his office have testified that they believe that there is "no prosecutable evidence." The police and the FBI have come to similar conclusions. The Nebraska State Patrol seems to believe that there was nothing to the allegations, in spite of their office having administered, according to testimony in the June 22 hearing, four lie detector tests to one alleged victim, which she "passed," which is to say that the equipment registered no physiological evidence of her lying. Information was obtained about events and locations where the abuse incidents took place, names of other victims, and adults responsible for accessing the young people.

The Legislature's committee itself is not a prosecutorial body, and although the outcome of information uncovered by it may result in policy changes, no indictments will come from it. For the immediate future it is, in effect, an investigation of a non-investigation.

Perhaps, however, the Legislature's inquiry will address some concerns that seem to keep coming up in discussions of the abuse associated with the excessive lifestyle of Larry King.

When local law enforcement authorities fail to investigate and bring about justice, who will help?

What can be done to bring about better oversight and screening of group homes and foster parents, and how can they be supported better?

More caseworkers are needed in our social service system.

A different structure for the office of county attorney is needed, perhaps assigning each office to cover several counties.

Other important questions remain unanswered, and to some extent unasked. Can the allegations of murder be investigated in the absence of the victims' bodies? (Since there is no statute of limitations on murder, there is still a possibility of indictments arising from these allegations.) Was the possibility of child pornography being produced in the Twin Towers apartment ever investigated? Was there a connection between the child sexual abuse and the \$38 million lost by the failed credit union; was sex traded for investments in Certificates of Deposit? Perhaps most importantly, why were these investigations handled in such a

*Continued on page 9*

### Inside:

*Francke in Search of Marcella, p.2*

*Nuke Compact to Spend a Cool Million on PR in Three Nebraska, Counties, p. 4*

*Legislative N-Waste Votes, p. 6*

*Short-Sighted Tax; Long Range Transportation Plans, p.12*

### the nebraska observer

PO Box 31383 Omaha, NE 68131

Address Correction Requested

### Subscription Status

To subscribe or renew use coupon page 2.

BULK RATE  
US POSTAGE  
PAID  
OMAHA, NE  
PERMIT NO 1064

# Few Readers Search for Controversial 'Marcella'

by Warren T. Francke

Are Nebraskans rushing out to buy the shocking "Marcella"?

Why did Mrs. Harvey react so indignantly to cameras outside her court hearing?

Why did Dave Kotok bring joy to this curmudgeon's heart?

How come the Merry Machiavellians get to pick their own Perverse Punditry winner this month?

Will the Wall Street Journal ever stop picking on poor Peter Hoagland?

How many experts on dismemberment can dance on the head of a Penrod?

All this and less in today's column, in no special order.

## Not a RED Dress!

Hester's letter was the scarlet "A," but for Marilyn Coffey, it's M as in Marilyn's novel "Marcella" about masturbation and menstruation.

Or so it seems. She's the Alma, Nebr. writer whose story in the Metropolitan weekly inspired my look last month at early women journalists. Then Marilyn made the front page of the Sunday Herald (June 11) with "Town Shuns Public Reading of Novel About Sex Abuse." Jim Flanery wrote that the author canceled her marathon reading of the novel in Orleans after a clergyman and others in the town of 600 "were repulsed by the prospect."

Worse, Coffey had planned to wear a red dress with sanitary napkins attached to dramatize Marcella's first menstruation.

Just as her earlier story prompted inquiry, this one raises an age-old question.

Did the Herald story about her shocking novel titillate Sunday readers to rush out and find the book?

Not exactly. The Omaha library was aware of only one request for the book,

which is unavailable there and out of print. The UNO library lists no copy either, and only one book store among many I called had fielded queries.

Guess which one? The Antiquarium, of course. Actually, Dave who answered the phone there had also taken requests at the Dundee Book Store. Dave gets around.

He supposed you might find a copy of the 1973 novel in the three-or-a-dollar stacks upstairs at the Anti, but no promises.

In my search, I found only one person who'd read even part of "Marcella," and that was Kristen Lueth, who wrote the Metro piece. Seriously, Kris, was it really graphic and shocking?

"No," she said, not even by 1973 standards, but Ms. magazine then called it a breakthrough for women, and sources told both Kris and Flanery that Coffey deserves high ranking among Nebraska authors.

So, here's the deal: If you send off to Omega Cottonwood Press, Box 254, in Alma, 68920, for a copy, please put me on the top of your list of borrowers. Maybe it's not "My Antonia," but we should be a little curious about one so acclaimed.

(Yes, I promised more on Nebraska women journalists. Make it August.)

## Strum Those Cords

The swearing-in of Mayor P.J. Morgan and city councilmen warmed the few cockles left in my curmudgeonly heart.

Two Herald reporters told two versions

of one cockle-cooker: City Clerk Mary Cornett gave the mayor's small daughter a fat old stuffed bear in a pin-striped suit.

Heartwarmers abounded and I took notes guaranteed to bring tears to your eyes with an absolute heat wave of words about the Takechi family, the Anzaldo family, and on and on.

But then Dave Kotok brought even greater joy to this grizzled curmudgeon: he provided the first decent homonym howler I've caught in the daily for months. He wrote in the Herald of the inaugural reception:

"The solemnity shifted to celebration as the Omaha rock band The Rumbles struck the first electric cords..."

Cords, Dave? The Rumbles strike cords and maybe even unplug then? Make that chords, chords, chords. This one may not make Kilpatrick's word column in the Metro Extra, but it will do till a better one comes along.

(Remind me to tell you about the man who sang four verses of "America The Beautiful," while facing in four different directions and switching to four different voices, including a final falsetto that would grow hair on Michael Jackson. The inaugural was a cultural feast.)

## Picking on Peter

When WILL the Wall Street Journal lay off Congressman Peter Hoagland?

As the daily noted, the financial sheet scorched Hoagland for his Mike Yanney

amendment and his Commercial Federal amendment to the savings and loan bill. Not some radical monthly but the Wall Street Journal said Hoagland's "gang" was "conspiring to steal from honest citizens."

Isn't that outrageous, attacking our Representative for helping his constituents? And then to have his colleagues shoot down the little private amendments.

Speaking of the nation's most-censored stories, Mike Yanney still ranks as Omaha's most under-reported newsmaker and the shrinking of Commercial Federal surely ranks as the most under-reported financial story in the Herald.

## Happy Hair-Splitters?

Sorry, I refuse to select a Whirled-Herald editorial for scrutiny month. The editorial staff wrote so many good ones I apologize for calling them the Merry Machiavellians.

Instead, they're the Happy Hair-Splitters and they picked their own Perverse Punditry of the Month winner for me. It's a piffing explanation of their petty attack on Tom Monaghan as he stepped down as state Democratic Party chairman.

First, an editorial headed "Tom Monaghan's Odd Claim" accused him of overreaching. He allegedly claimed credit for Democrats "gaining" control of three of the state's five Congressional seats under his leadership.

Then the second editorial, "A Lesson in Hair-Splitting," blamed everyone but the editorial writers for their pointless criti-

*Continued on page 3*

## Observer Deadlines

*The next issue of the Nebraska Observer will come out August 2. We must receive your story ideas by July 18. Copy is due July 25. Story ideas for the August 30 issue are due August 15. Copy is due August 22.*

## Put me on your list of Observer Supporters!

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone day: \_\_\_\_\_

Phone evening: \_\_\_\_\_

I read: Morning WH \_\_\_\_\_ Evening WH \_\_\_\_\_

I want to receive the newsletter, and since I know the Kiewit Foundation didn't give you a grant this year, I'll help out with a donation.\*

\_\_\_\_\_ \$20 member  
\_\_\_\_\_ \$50 sustainer

Count me in for some donated labor!

I want to monitor news about:

*Omaha Residents:*

\_\_\_\_\_ I can help maintain the mailing list.  
\_\_\_\_\_ I can help with mailings.

*\*The Nebraska Observer needs at least \$20/yr. from all its members who are employed.*

The Nebraska Observer · PO Box 31383 · Omaha, NE 68131

Editor	Frances Mendenhall
Environmental Editor	Lynn Moorer
Copy Editor	Karen Nelson
Computer Page Makeup	Tony Carr
Circulation	Jean Holland

Board of Directors	Jim Cavanaugh
	Dick Dinsmore
	Frances Mendenhall

Contributing Writers and artists	Colleen Aagesen
	Skip Laitner
	Warren Francke
	Lynn Moorer
	Frances Mendenhall
	Paul Fell

The Nebraska Observer is distributed monthly by the Nebraska Citizen Publishing Group, a non-profit corporation.

Letters and manuscripts may be submitted to:

P.O. Box 31383, Omaha, NE 68131

They should include the author's phone number and address.

Phone: (Lincoln) 402-476-1183  
(Omaha) 402-551-2629

# Television Teens Build Community, Have Fun

by Frances Mendenhall

It's a safe bet that readers of the Nebraska Observer have a special place in their hearts for citizen journalists. This is a story about teen journalists.

They are a group of high school students who get together every three weeks and produce their own television show. It's called Rhythm Section, and it airs every third Sunday on Channel 7 at noon, sharing the slot with Ben Gray's Kaleidoscope.

Rhythm Section clearly has teen appeal. "We're here to dance, make music, and listen to each other," said one of its young announcers. And that's exactly what they do.

The program airs music, often live and/or original, of local bands. Its title piece, "Rhythm Section," was written for the show by the Royal Court. Young dancers ham it up on camera. Besides the Royal Court, groups such as Jam Squad are featured. They also use a lot of rap.

Then the show switches to an interview format, called "Express Yourself." One Sunday, the host, Ben Gray, Jr. (son of guess who), talked to two former gang members, Lynell and Wilbur. He asked them what attracted them to gangs, and was told it was drugs, money, friends, and respect of both guys and girls. "Did it bother you that you had to always watch your back?" asked Gray. "Yes, it was scary, but everybody's got fears." "Have you ever done jail time?" "Yes, I stabbed a guy at a party. It really upset my parents. And I noticed that none of my old friends were visiting me in the place. After I did time I started thinking what I was doing

my family. Eventually I knew I had to get out."

Gray asked the other guest what made him get out. "It was spending all that time in the place (jail), and people like Carl Washington directing me to something better," he said.

Another likely subject of future interviews will be the Scribbles Crew, a group of artists best known for graffiti (the kind with a social purpose), but also good at other kinds of graphic art productions such as t-shirts and murals in homes.

Some time during every show, they air the "C.W. Hot Line" number (444-4431), staffed by Carl Washington and his associates. Washington is an active community volunteer who heads a boxing program, and other programs for young people. The hot line gives information about gangs, support and counselling for guys who want out, and advice about jobs. When Rhythm Section airs the number, however, the hot line gets flooded with calls from kids who want to be on the program.

The Rhythm Section crew, under the direction of the senior Gray, is determined to include everyone who wants to participate. As of now, the core group who make it happen consists of 16 or 17 young people, but Gray sees no reason why the group can't make good on their promise to let anyone get in on the dancing. Both white kids and black are welcome, he adds.

The kids know they have an effect. "You have a lot of friends asking to be on the show not just dancing, but to work the cameras or interview. You get a lot of friends telling you you did a good job and a lot of eyes when you



"Rhythm Section crew take a lesson in operating filming equipment from the show's producer Ben Gray. Shown are Lisa Littlejohn, Jade Williams, Kevin Franklin, Traci Robinson, Teresa Haskell, Claudette Williams, Ben Gray, Sr., and Brian Gray (back to camera). Ben Gray, Jr. is using the camera. (Photo by FGM)"

go to public places," said the junior Gray.

So far the show has been offered by the station as a public service. Items in the set were donated. Bettie Denny, Program/Community Affairs Manager for the station, sees the show as a good kind of home grown idea. "I'm happy that KETV is giving young people a chance to do something positive and feel good about themselves. It's a message that will go out to the black community and beyond the black commu-

nity." Gray is looking forward to continuing the format and possibly expanding it to an hour. He also sees no reason why it couldn't become self-supporting with sponsorship, since it so clearly reaches a definable teen audience.

Whether or not the show makes money, what these young people are doing will surely have a good impact on the drug and gang problem. But their real mission is much deeper--it's about building community.

Of approximately 34 million serious crimes committed in 1986 against people or property, 31 million never even led to arrest, and only a few hundred thousand resulted in felony convictions and imprisonment. The emphasis on imprisonment as the major means of controlling crime is terribly misplaced.

Ira Glasser, "Let's Get Real on Crime,"

## Rudeness Depends on Side of Lens You're On

Continued from page 2

cism of Monaghan. It's not worth repeating here, but this piece of perversity accused Monaghan and the paper's reporter of doing what the editorial had done in the first place: namely hair-splitting over the Democratic gains.

### Expert on WHAT?

I must have dreamed this one:

First, I'm reading all these Weird-Herald headlines about decapitation and a headless corpse. The reporting was restrained, but we were repeatedly reminded by headlines that the autopsy would be performed on the "Headless Body," etc. Then I'm watching KETV, and this kid Penrod who used to be hot after Satanists was presenting this local psychiatrist who he identifies--get this--as an expert on murderers who dismember their victims.

Either I got it flat wrong, or we have a local expert on dismemberment and Penrod nailed him for Channel 7. What's wrong

with the competition? Why didn't the Herald and the other TV stations find this enlightening guy? I got this sinking feeling that Steve Brown must have done a two-hour KKAR radio interview on dismemberment and I missed the whole thing.

### Usual Punishment

We saw many faces of Mary Jane Harvey in the news.

She appeared smiling in the Presbyterian newsletter at her February retirement from her leadership position in the church. Then she looked like the Grandmother of the Year in her pleasant portrait, gray-haired with glasses, in Bob Dorr's Sunday Herald story, headlined, "Mrs. Harvey Asks to Be Forgiven Franklin Role."

She considers that story fair and charitable.

The next day, however, Mrs. Harvey went to court to plead guilty, with her son Thomas, to embezzling \$1 million of the credit union funds. Her face changed.

No more smiling, but angry muttering, defiant posturing and indignation. As TV cameras photographed her visit to court, she ducked away from an elevator, pulled her jacket up over her head, or simply stopped in her tracks, elbows akimbo like a teacher about to lecture a naughty boy, and started down the impudent lens. The next day's Herald captured that pose as well.

Did she think the cameras were invading her privacy? That they had no right to intrude? That was my initial unsympathetic reaction, so I asked Mrs. Harvey what happened.

In a word, she panicked. After an exhausting, embarrassing appearance in court, under medication, she overreacted to what seemed to her like a pack of wolves running down a rabbit.

Her attorney told her later that she should have just calmly walked in and out. Easy to say.

From her viewpoint, the photographers were terribly rude. But nothing she told me

in a candid conversation suggested that individual journalists did anything out of the ordinary.

They did not speak rudely to her; they simply took pictures.

So what was the problem? She was newsworthy, video for the evening news. Under the circumstances of her admitted crime, it was too much for her to expect that the crowd--she says there were an unlikely eight cameras--of photographers and reporters would politely wait for her to pause and offer a leisurely photo opportunity.

Consider this. If cameras were allowed in the courtroom, we'd be spared these hallway chases to shoot a Mary Jane Harvey on the wing.

Surely no one thought it good sport to provide angry poses from a 68-year-old woman entangled in the Franklin fiasco. I doubt that the photographers did anything out of the ordinary to cause her distress. Of course the ordinary can get ugly if you're in the eye of the lens.

# Big Bucks to 'Support Groups' Fuel Compact's Propaganda Blitz

by Lynn Moorer

Nuclear dump promoters have apparently pulled an iron curtain around themselves as a shield from citizens seeking answers to questions and information about the five-state low-level radioactive waste dump planned for Nebraska.

Explaining the Compact's million-dollar "positive information" initiative planned for the next 15 months, Compact Executive Director Ray Peery said at the June 20 annual meeting that dump opponents' questions and misinformation were "thwarting" the project. "It's our responsibility to ensure that the facility is built," Peery said. "It's obvious that (opponent) groups are trying to make it fail. We can't let it fail."

*At the Tuesday meeting I asked for a copy of the grant application letter sent in by Citizens for a Better Nuckolls County... Wednesday [they] won't even come to the phone... I don't believe there really is such a letter.*

--Steve Gebers, Nora

Diane Burton of Concerned Citizens of Nemaha County questions the propriety of the initiative. "Whatever happened to factual information? That's what the citizens want. Peery knows that we haven't put out misinformation because if we had he would have sued us," she said. "We just fill in the blanks of their half-truths about the project." She also noted that Peery cited no examples of "misinformation."

Complaints about difficulty obtaining complete, timely information from Compact, US Ecology and Department of Environmental Control offices have circulated among citizens for several months. Citizens have listed deficiencies in local information repositories citing incomplete, outdated and missing documents which Peery and DEC Director Dennis Grams have asserted are available.

"They're the ones sabotaging this process for us," said Sue Williams of rural Nora. "If the facility is so safe, they should be sending out all kinds of information... from the Governor on down. If they felt comfortable with the truth, they wouldn't have to work so hard to shut us off."

Steve Gebers of Nora expressed frustration with treatment he said he received when attempting to obtain information promised by Peery. "At the Tuesday meeting I asked for a copy of the (\$20,000) grant application letter sent in by Citizens for a Better Nuckolls County. Peery told me that it is public information and there should be no problem getting it."

However, Gebers said, repeated attempts to reach Deputy Director Kelly Gold at the Lincoln Compact office the next day to follow up on his written request were unsuccessful. "Kelly tells me Tuesday they'll get the letter to me right away and then Wednesday she won't even come to the phone to talk to me. I don't believe there really is such a letter," he said.

Other Nuckolls County residents report they were also unable to obtain a copy of the letter during a visit to the Lincoln office Thursday.

Burton said US Ecology and Compact personnel and policies are increasingly "shielding the dump promoters from the citizens." She said answers to written requests for information are not only slow, incomplete and usually "unresponsive," but attempts to reach Peery, Gold and US Ecology's Rich Paton via telephone are "nearly impossible." She said when she calls the Lincoln Compact office she frequently will be told initially that Gold is in, but when Burton identifies herself to the receptionist, Gold is "in a meeting" or "gone for the day." Burton said, "There seems to be a double standard about who can get information and who can't."

A recent experiment confirmed this assertion.

After calling Gold's office and being told she wasn't in, this reporter called again identifying herself to the receptionist as a DEC secretary. Gold immediately came to the phone and quickly expressed dismay when informed of this reporter's identity. Asked for information and an interview explaining details of the \$20,000-per-quarter grants available to each county "support group" for "public information" activities, Gold responded that in the future this reporter could only contact Compact personnel by letter. When reminded that the Compact's office is public, Gold said, "Put it in writing."

According to Meg Patterson, US Ecology's policy is similar. She said, "We would like documentation of asking the question." Asked if this policy applies to "anybody," she said, "No. You're not just anybody." Patterson declined to clarify her statement.

At the June 20 Compact meeting DEC Director Grams also was less than forthcoming to citizen requests for information. He responded, "So, sue me," when questioned by Nuckolls County Local Monitoring Committee Vice Chairman Mick Karmazin about why documents Grams said were available at DEC could not be located when Karmazin visited the department.

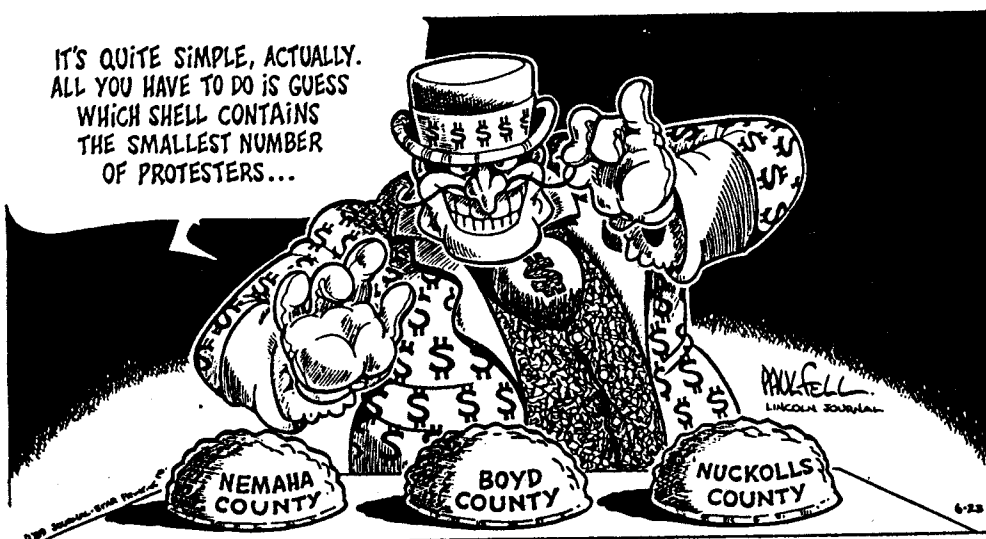
Burton said the high-priced project is actually a "money-laundering scheme for the utilities" who are funding the planned five-state Compact dump. "In order to justify an increase in their PR budget, US Ecology is laundering it through these puppet county organizations they've created."

The "support groups" Peery said the Compact will fund have such a low profile that few are aware of their existence. Burton said she knows of "six to 10, depending on the day of the week," members of Citizens for the Future, Nemaha County. Paul Allen of Bristow said he knows of "10 to 12" possible members of People for Progress, Boyd County. Gebers said he knows of no acknowledged members of the Nuckolls County "support group" People for a Better Nuckolls County besides the person said to have applied for the initial \$20,000 grant, adding, "Why don't they shove information at us instead of shoving money at us?"

Dorothy Lanphier of Omaha, who worked for the passage of Initiative 402, said, "It's interesting that citizens wanting Compact documents have to pay 25 cents a page for them but they have \$60,000 to hand

out every three months to prop up so-called support groups." Lanphier said, "These are the same utilities' big bucks that flooded the state to get people to vote against Initiative 402 last year. They might as well go door-to-door with checks signed by Louisiana Power and Light, saying, 'Please, won't you take our dump?'"

Sam Welsch of Hartington, who led the Initiative 402 drive, said, "This incredible effort to dump more money into the state is a tremendous commendation to the citizens who have been working on this issue. When anyone contrasts the amount of resources the citizens of Nebraska have had to the out-of-state folks, it's like comparing a wheelbarrow load to a 100-car train unit." He said, "Just keep in mind that the money is evidence of bribery, not the community consent the Governor promised."



## Reader: Lead Dumped Illegally in Omaha

The writer tells us KMTV has covered this, but that the World-Herald hasn't.

Dear Editor,

I would like to ask your readers to help me keep an eye out for illegal dumping of contaminated soil. Here is what happened to me.

On June 19 my neighbor told me that there were some Fager Excavating Co. trucks dumping dirt at 7th and Castelar, with no permit to dump. This is right behind my house.

When one of my neighbors later followed the truck to 10th and Douglas, the site of the old Gould Battery factory and the current problem of lead contaminated soil, I became concerned. The next morning I called the Health Department and was told they knew about it and had taken some samples for testing. They also confirmed for me that the soil was contaminated with lead, but that the source was the old Asarco smelter at 5th and Douglas.

On June 21 my neighbor called me and told me that the contractor (Fager) was going to cover the dirt with two feet of clean

dirt. Needless to say, I did not consider this adequate and suggested that we both call the Health Department and complain.

When I called I talked to Randy Nickerson of the Division of Environmental Health, who agreed to meet me at 7th and Castelar that morning. When we arrived a truck was already removing the dirt, and loading it into a Fager Excavating Co. truck.

That same day, I saw S.P. Benson of the City Planning Department at the site. He commented that it was better than before. The following day I asked Mr. Benson when he would be prosecuting the dumpers, and he said as soon as he gets the Health Department reports.

Somehow, I am skeptical that there ever will be any prosecution, since, they will argue, the dumpers are cleaning up their mess. Others I have talked to also share my doubt. I believe this would not only be a slap to the neighborhood, but an open invitation to others to try to get away with dumping who knows what at our back door. We know that Peter Kiewit Sons, Inc. has been hired by

Continued on page 7



# Compact Has \$989,000 for 'Informational' Activities in Three Counties

by Lynn Mooror

The use of more than \$1 million of nuclear power industry money to help site a five-state low-level radioactive waste dump in Nebraska through "informational" activities parallels the \$1.6 million of utility funds spent to defeat last year's Initiative 402.

Ray Peery, Central Interstate Low-Level Radioactive Waste Compact Commission Executive Director, announced a \$989,000 plan to combat "misinformation" at the Commission's annual meeting in Omaha June 20. Commission Documents show the plan is part of a \$1.6 million increase in the "public participation" category of a 15-month work plan draft of developer US Ecology's activities.

A total of \$300,000 for "Support groups" in each of three finalist counties is available,

according to Deputy Director Kelly Gold. Grants of \$20,000 for a three-month period will be awarded. Each group may apply for grant renewal each quarter.

In addition, the Commission voted to contract with the California political consultation firm Winner-Wagner & Mandabach for an extra \$85,000 for "public information consultation." The company was paid \$275,000 by the Nebraskans Against 402 Committee in 1988 to help defeat Initiative 402.

The six utilities which operate nuclear power plants in the Compact states pay into a \$10.1 million trust account quarterly to fund the Compact project's start-up. The utilities' percentage shares are:

Arkansas Power & Light	20.48
Little Rock, AR	
Gulf States Utilities Co.,	17.22

Beaumont, TX	
Louisiana Power & Light,	16.01
New Orleans, LA	
Nebraska Public Power	
District, Columbus, NE	16.51
Omaha Public Power	
District, Omaha, NE	13.55
Wolf Creek Nuclear	
Operating Corp.,	
Burlington, KS	16.23

According to Commission staff, in addition to "support group" activities, the money will go toward newspaper and radio advertising, brochures, direct mailings, and other publications, US Ecology's three county field offices and staffs, conducting tours and other Commission and US Ecology public information activities.

The Nebraskans Against 402 Committee received contributions totalling more

than \$1.6 million, chiefly from three of the Compact's out-of-state utilities. Only \$12,998 came from Nebraska sources.

Major contributors were:

Arkansas Power & Light	\$558,333
Little Rock, AR	
Gulf States Utilities Co.,	528,975
Beaumont, TX	
Louisiana Power & Light,	558,333
New Orleans, LA	

Major expenditures include:

Winner-Wagner & Mandabach (WWM),	\$275,000
campaign consultants	
Recruitment/Ally	
Development	172,003
Campaign Materials	620,381
Media Production	257,484
Media Placement*	437,856

\*The majority of TV, radio, and newspaper ads were placed statewide by WWM and PRA, Inc. (an Omaha PR firm) in "package buys." The only exception for weekly newspapers was the purchase of individual ads in three Nuckolls County newspapers (in Nelson, Lawrence, and Superior) the day before the election. According to Martha Andersen of PRA, Inc., the ads were placed at the request of Superior area health professionals who "wished to make a statement." Nuckolls County's selection as one of the finalist sites stunned county residents on January 18 because it was not known to be among the top finalist counties under consideration to host the five-state dump. Signatories to the ad were: Melvin Menke, R.P.; Barry Marshall, R.P.T.; Robert Liebel, M.D.; Dennis Hatch, M.D.; Terry Kermoade, R.P.; Keith Deuel, R.P.; Donald Dynek, M.D.; J. M. Andersen, O.D.; Timothy Blecha, M.D.; Judith Butler, M.D.; N.H. Upton, D.D.S.; Robert Wilson, D.D.S.; R.J. Nelson, D.D.S.; James Teachworth, D.C.; and R.D. Thompson, D.D.S.

## Give Us Your Poor, Your Retarded and Your Black

by Colman McCarthy

MECKLENBURG, Va.—In the cellblock that cages 38 of Virginia's 41 death-row citizens at the state prison in rural southern Virginia, an Amnesty International poster is taped on wall: "When a person kills, we call it a crime. When the state kills, we call it justice." Another poster carries a photograph of an electric chair and these words: "Give us your poor, your retarded and your black."

The interior decorator responsible for the art work is Joseph Giarratano, 32, who has been confined to this death row since 1979. His cell--10 feet deep, 6 feet wide and with a steel door cut with a food slot to insert meals--is different from most. It has a bookshelf holding works by Dostoevski, Gandhi, Camus, Aristotle, Goethe and Strunk & White's "Elements of Style." Beneath it is a pipe rack and a Panasonic word processor, a machine on which Giarratano writes legal briefs.

Among his successful appeals is one that gives Virginia prisoners the right to receive visits from reporters, phone calls from lawyers and confidential mail. A civil case prepared by Giarratano is about to be decided by the Supreme Court. It is on behalf of another death-row prisoner who was not provided legal help in a last-minute appeal. Giarratano's suit has so far blocked the execution. He won the case in lower courts and had his arguments presented before the Supreme Court in March.

When I wrote about the case last month, I didn't have space to discuss Giarratano himself and why he is on death row. I'm opposed to anyone being executed by any government for any reason, which puts me in the minority view in a country with 37 death-penalty states, 7,000 executions since 1900 and some polls saying more than 75 percent of the public favors capital punish-

ment. But I am part of the majority on the Giarratano case. Dozens of neutral observers have read the transcript of the trial, as provided by the Virginia Coalition on Jails and Prisons. They believe, first, that it was unfair and, second, strong evidence exists that Giarratano is innocent.

James J. Kilpatrick, the Brahmin of Old Virginny conservatism and a death-penalty advocate, wrote in a column last month about Giarratano's guilt: "I have read the record...and I don't know. I simply don't know." He concluded: "I am filled with reasonable doubt." Long before Kilpatrick was stirred, another respected Virginian, Bishop Walter Sullivan of Richmond, said that Giarratano deserved a new trial.

In Europe, where no nations carry out the death penalty and where America's avidness for state killing arouses disgust, newspaper and television stories have been raising the question of whether the United States is about to execute another innocent person.

At the start of the 90-minute interview, I asked Giarratano whether he killed Toni Kline and her 15-year-old daughter in February, 1979. In a long but coherent reply, he told the story that is documented in an appeal for a new trial now pending in a Virginia court. Giarratano, sharing a Norfolk apartment with Kline and her daughter, awoke from a drug and alcohol blackout to find their bloodied and dead bodies. He fled to Florida but, overcome with remorse and guilt and thinking that he must have been the killer even though he had no recollection of the act, turned himself in.

What has aroused doubts from Kilpatrick, Sullivan and others is that Virginia prosecuted Giarratano with only his confessions--four varying, police-coerced ones--as proof. No one witnessed the crime. A drug addict, he says he confessed in a psy-

chotic and suicidal state of mind. He wanted to be executed. He had an inexperienced court-appointed lawyer.

After four years on death row, and his addictions and psychosis overcome, Giarratano was persuaded by Marie Denas of the Virginia Coalition, to appeal the 1979 conviction. She provided legal help, books, friendship and a sisterly love that gave to Giarratano a sensation he had never had before: proof that someone cared whether he lived or died.

His childhood story--"I grew up in a family of criminals"--is a standard one common to death-row people: abusive parents or stepparents, harsh schools, petty crime, unemployment, hard drugs and the belief that violence is the only way to make it. At 17, Giarratano accidentally met his natural father for the first time. They were inmates in the same prison.

Since his reformed will to live in 1983, Giarratano has immersed himself in studying law, literature and human rights. Prison officials at Mecklenburg, not a group easily duped by convict ploys, say that Giarratano is authentic in his work to help other prisoners and in his self-education.

I came away from my visit with Joe Giarratano uplifted. He is a battler, a giver, a mediator. He has lived 10 years in an abyss of the state's sheerest cruelty--a cage with the prospect of death as the sole release--and yet his discussion of justice, nonviolence and human rights is as lucid as any I have heard. I have read some of his writings. They, too, are reflective and reasoned.

It's not enough to say of his guilt that there is reasonable doubt. Why not go further and say of his altruism and courage that there is reasonable certainty.

©1989 Washington Post Writers Group

## Computer Still Needed

The Nebraska Citizen's Publishing Group has generously been offered the use of an IBM compatible for a few months.

But we still need our own so we can offer help to other groups.

*Help us help others!*

# Major Citizen-Proposed Protection Amendments

by Lynn Moorer

Efforts to site a five-state low-level radioactive waste dump for the Central States Compact lurch forward in the wake of 1988's failed Initiative 402, which attempted to withdraw Nebraska from the Compact and put into state law a voter approval requirement before a dump could be constructed.

Opponents of 402 say continued Compact membership allows Nebraska sufficient control to protect its interests through the facility licensing process and state legislation. Proponents of 402 say the meager protections won during the 1989 legislative session fall far short of the broad assurances enunciated by state, Compact and developer officials prior to the vote on 402.

LB 761, signed by Gov. Orr May 25, emerged as the sole surviving legislation amending Nebraska's low-level radioactive waste statutes. It passed 46-0 with an emergency clause, and is now law.

After significant debate, the majority of amendments to LB 761 sought by citizens failed. Efforts to amend focused on defining community consent (promised by Gov. Orr as necessary for facility siting) as a local vote.

Four right-to-vote amendments were attempted, one during first-stage debate (General File), and three during second-round debate (Select File). Sen. Dierks' first amendment required a county-wide vote before a facility could be sited. On Select File, Sen. Landis proposed a nonbinding, simultaneous vote in the three finalist counties as a sign of community consent. Sen. Dierks then attempted a nonbinding vote in five counties to determine community acceptance. Sen. McFarland's proposal for a nonbinding county-wide vote at a county board's option failed 6-20 without a roll call vote.

A requirement of Nebraska residency for members of local monitoring committees was added on General File in an amendment by Sen.

Schmit. (The amendment requiring Nebraska residency included two additional provisions: 1) committee appointments not made within 30 days of the law's effective date would be filled by the Governor; and 2) acceptance of Community Improvement Cash Fund monies "shall in no way affect the siting process.") Two attempts were made by Sen. Chambers--one on General File, one on Select File--to allow one member to be a non-resident. Both amendments failed.

An amendment by Sen. Kristensen would have allocated \$6,500 to local monitoring committees for counseling and stress consultation services.

A proposal by Sen. Morrissey attempted to change from 50 percent to 10 percent the stock ownership change threshold triggering a financial and environmental compliance review by the Department of Environmental Control.

Appointments to local monitoring committees would have been modified for counties subdivided into townships in an amendment by Sen. Dierks. If no township board existed in the county, the appointment to the committee would have remained with the two closest municipalities.

An amendment by Sen. Weihing would have allowed the local monitoring committee's independent expert to be involved only in *site* characterization, rather than *onsite* characterization.

Key amendments also passed include:  
--Immunity from liability for local monitoring committee members rendering service in good faith;

--An increase from \$25,000 to \$100,000 available to each of three monitoring committees who can hire experts;

--Changing the description of construction requirements from "above existing grade levels" to "above grade levels." (This deals with the degree to which the surface of the ground can be smoothed or graded and still remain "above ground." Proponents say the change clarifies that "minor smoothing" is allowable.)

## Voting On Key LB 761 Amendments

	County Vote (binding)	3-Co. Vote (nonbinding)	5-Co. Vote (nonbinding)	Residency
	A	B	C	D
Abboud, Chris (12), Omaha	Y	Y	N	Y
Ashford, Brad (6), Omaha	Y	Y	Y	N
Baack, Dennis (47), Kimball	N	N	N	Y
Barrett, Bill (39), Lexington	N	N	N	Y
Beck, Sharon (8), Omaha	N	Ex	Ex	Y
Bernard-Stevens, David (42), North Platte	N	N	N	Y
Beyer, Emil (3), Gretna	N	N	N	Y
Byers, Dennis (30), Beatrice	N	N	N	Y
Chambers, Ernie (11), Omaha	Y	Ex	Ex	N
Chizek, Jerry (31), Omaha	Ex	Y	Y	Ex
Conway, Gerald (17), Wayne	Y	Y	N	Y
Coordsen, George (32), Hebron	Y	Y	Y	Ex
Crosby, LaVon (29), Lincoln	Y	N	N	Ex
Dierks, Cap (40), Ewing	Y	Y	Y	N
Elmer, Owen (38), Indianola	N	N	N	Y
Goodrich, Glenn (20), Omaha	N	N	N	Y
Haberman, Rex (44), Imperial	Ab	N	N	Y
Hall, Tim (7), Omaha	N	Y	N	Y
Hannibal, Gary (4), Omaha	Y	N	N	N
Harnett, Paul (45), Bellevue	N	NV	NV	N
Hefner, Elroy (19), Coleridge	N	N	N	Y
Johnson, Lowell (15), North Bend	N	N	N	Y
Johnson, Rod (34), Sutton	Y	Y	Y	N
Korshoj, Frank (16), Herman	Y	Y	NV	N
Kristensen, Doug (37), Minden	Y	Y	Y	N
Labadz, Bernice (5), Omaha	Ex	N	Y	Y
Lamb, Howard (43), Anselmo	N	N	N	Y
Landis, David (46), Lincoln	N	Y	Y	N
Langford, Lorraine (36), Kearney	N	N	N	Y
Lindsay, John (9), Omaha	N	NV	N	N
Lynch, Dan (13), Omaha	N	N	NV	N
McFarland, James (28), Lincoln	Y	Y	Y	N
Moore, Scott (24), Stromsburg	Y	Ex	N	Y
Morrissey, Spencer (1), Tecumseh	Y	Y	Y	N
Nelson, Arlene (35), Grand Island	N	NV	N	Y
Peterson, Richard (21), Norfolk	N	N	N	N
Pirsch, Carol (10), Omaha	N	N	N	N
Robak, Jennie (22), Columbus	N	N	N	Y
Rogers, Carson (41), Ord	Y	NV	NV	N
Schellpeper, Stan (18), Stanton	Y	Y	Y	N
Schimek, DiAnna (27), Lincoln	Y	Y	Y	N
Schmit, Loran (23), Bellwood	N	N	N	Y
Scofield, Sandra (49), Chadron	Y	Y	Y	N
Smith, Jacklyn (33), Hastings	Y	Y	Y	Y
Warner, Jerome (25), Waverly	Y	N	N	Y
Wehrbein, Roger (2), Plattsmouth	N	N	N	Y
Weihing, John (48), Gering	N	N	N	Y
Weseley, Don (26), Lincoln	Y	Y	Y	Ab
Withem, Ron (48), Gering	Y	Y	Y	N
Total	YES 22	19	16	25

(Amendments need 25 votes to pass.)

\*Represents total of yes votes on A,B,C,E,F,G,H,I, and J minus

Y: yes; N: no; NV: present, not voting; Ab: absent, not voting

## CALENDAR

July 10, 1989, 7 p.m., Town Hall, Butte  
DEC Hearing on Wetlands Drilling in Boyd County

July 10, 1989, 8 p.m., American Legion Hall, Johnson  
Nemaha County Monitoring Committee Meeting

July 13, 1989, 7:30 p.m.  
Sherman Elementary School, 5618 N. 14th Ave., Omaha  
Hearing on medical waste incinerators proposed by BioWaste

# Defeated

	Allow 1 non-resident (4/12)	Allow 1 non-resident (5/15)	Stress Counseling	Baseline Health Study	10% stock change review	Township Board Selection	Expert not on file	Final Reading	Observer Approval Rating *
E	N	F	G	H	I	J	K	Y	4
N	Y	N	Y	Y	N	Y	N	Y	8
Y	Y	N	Y	Y	N	Y	N	Y	-2
N	N	N	N	N	N	N	N	Y	-1
N	N	Ex	Ex	Ex	Ex	Ex	Ex	Y	-1
N	Y	Y	Y	N	Y	Y	N	Y	3
Ex	N	N	N	N	N	N	NV	Y	-1
N	N	N	N	N	N	NV	Y	Y	-2
Y	Y	Y	Ex	Y	Y	Y	N	Y	6
Ex	Y	Y	Y	Y	Y	Y	N	Y	7
N	N	N	N	N	N	NV	Y	Y	0
N	N	N	Y	Y	Y	Y	N	Y	7
N	N	N	Y	N	N	NV	NV	Y	2
Y	Y	Y	Y	Y	Y	Y	NV	NV	9
N	N	N	N	N	N	N	Y	Y	-2
N	N	N	N	N	N	NV	NV	Y	-1
N	N	N	N	N	N	N	Y	Y	-2
Y	Y	Y	Y	Y	Ex	N	N	Y	4
Y	N	N	N	N	N	NV	Y	Y	1
N	NV	Y	Y	Y	Y	Y	NV	Y	4
N	N	N	N	N	N	NV	Y	Y	-2
N	N	N	N	N	N	N	Y	Y	-2
Y	Y	Y	Y	N	Y	Ex	Ex	Y	7
Y	Y	Y	Y	Y	Y	Y	N	Y	8
Y	Y	Y	Y	Y	Y	Y	N	Y	9
Ex	N	N	N	N	Ex	Ex	Y	Y	-1
Y	N	N	N	N	N	N	Y	Y	-1
Y	Y	Y	Y	Y	Y	Y	Ex	Y	8
N	N	N	N	N	N	NV	Y	Y	-2
N	NV	N	NV	N	N	Y	N	Y	1
N	NV	Y	Y	Y	N	Y	Ex	Y	3
Y	Y	Y	Y	Y	Y	Y	NV	Y	9
N	Ex	NV	N	N	N	NV	Ab	NV	0
Y	Y	Y	Y	Y	Y	Y	N	NV	9
N	NV	Y	N	N	N	Y	Y	Y	0
N	N	N	N	N	N	N	Y	Y	-1
Y	NV	N	NV	Ex	Ex	Ex	Ex	Y	1
Y	N	N	N	N	N	N	Y	Y	-1
Y	NV	Y	Y	N	NV	NV	NV	Y	4
Y	Y	Y	Y	Y	Y	Y	N	Y	9
Y	Y	Y	N	Y	Y	Y	N	Y	8
Y	N	N	N	N	N	N	Y	Y	-1
Y	Y	Y	Y	Y	Y	Y	NV	Y	9
N	N	Y	Y	Y	Y	Y	NV	Y	6
N	Ex	N	N	N	N	N	Y	Y	-1
N	N	N	N	N	N	NV	Y	Y	-2
N	N	N	N	N	N	N	Y	Y	-2
Y	Y	Y	Y	Y	Y	Y	N	Y	9
Y	Y	Y	NV	NV	Y	Y	N	Y	7
21	17	24	19	18	22	19	46		

yes votes on D and K.

ing; Ex: excused, not voting.

# Badge of Courage for Newcomer

by Lynn Moorer

The 1989 Nebraska Legislature failed citizens miserably by refusing many promises made regarding nuclear waste management. The chief promise distorted, mangled and discounted was Gov. Orr and Co.'s community consent.

The resulting erosion of trust in Nebraskans' government and public officials has been both devastating and empowering. Citizens' feelings of betrayal and anger interweave their irretrievably altered lives. They no longer assume that public officials--elected and unelected--are adequately working to protect their interests. They are exchanging complacency for active involvement within their system of government. They will never be the same.

Citizens newly involved have been encouraged by the emergence of a new leader within the Unicameral embodied in a railroad track inspector from Tecumseh, Spence Morrissey.

Narrowly elected to represent the first legislative district last November, citizens have found in Morrissey a tenacious battler for citizens' protections and eloquent champion of common sense, open-eyed policy.

His depth and breadth of commitment to crafting sensible nuclear waste policy responsive to citizens is noteworthy in two ways. His willingness to invest his time, energy and intellect, and that of his staff, to extensive analysis and ambitious search for answers and understanding is extraordinary, particularly by a freshman senator. Even more laudatory is his gutsy willingness to challenge the tightly gripped environmental power structure in the Legislature which has hobbled environmental policymaking for years.

Launched from the groundwork laid by Sandy Scofield and Stan Schellpeper in the two previous legislative sessions, Morrissey was joined by Cap Dierks, Jim McFarland, Ernie Chambers and Doug Kristensen in the fight to improve Nebraska's low-level radioactive waste statutes. Coming in the wake of the confusing and perverted campaign defeating Initiative 402, his efforts to put promised safeguards into law and adjust existing provisions were (and continue to be) guided by his desire to sort fact from fantasy.

Throughout floor debate on LB 761, Loran Schmit, legislative dean of environmental policy, consistently and skillfully confused attempts to amend with shirking responsibility. Noted for his thin skin to criticism of any kind, Schmit alternately bullied colleagues offering amendments he didn't like with suggestions that their amendments would doom passage of the bill and patronized fellow legislators with "admiration" for addressing what they "understood

was a need."

A 20-year veteran of Nebraska's Unicameral, Schmit declared that if one does not learn from history, he makes a mistake. Then, while commending Morrissey and Kristensen for their "interest" and Dierks for his "time," he threw roadblock after roadblock before their amendments, declaring that he didn't want to pass (in addition to committee amendments) a bill amended "under frustration and intimidation." Of the 20 amendments attempted, four responsive to citizens succeeded.

After complaining that too many amendments were hindering the process, he and his legislative puppets offered eight. All but one succeeded.

A sharp contrast between the two legislative camps was evident in comparing the informed, independent discussion by Morrissey, Kristensen, Dierks, Chambers, Scofield, McFarland and Schellpeper to the confused, garbled expositions by Lamb, Elmer and Weihing, propped up by Schmit's aide Dave Fischer.

The nuclear waste debate revealed two conflicting definitions of "responsibility" in managing waste.

Schmit enunciated his view in response to criticism by McFarland:

"It is easy for you, as a newcomer... to stand here and criticize and chastise those... who took part in the early process.... We did the best we could with the knowledge we had.... Don't accuse us who did what we knew had to be done and accuse us of lying and deception."

Schmit's definition of responsibility seems to be doing what he tells you to do. He implies that only original authors of legislation have the right or requisite knowledge to amend legislation.

He suggested that Nebraska had no choice but to join the Central States Compact and all the unpalatable decisions Nebraskans must choose among today are a consequence of that "duty." Since neither Compact membership nor building our own dump is mandatory, and never has been, Schmit has either been deceiving himself and/or misleading others. This representation regarding Nebraska's choices is crucial since so many of our state's nuclear waste dilemmas emanate from it.

Morrissey's definition of responsibility, by contrast, seems to include challenging assumptions in one's search for answers and new information. He stated his view in response to Elmer's characterization that early good-faith efforts to deal with the issue should suffice and the conflict of change in policy should be avoided.

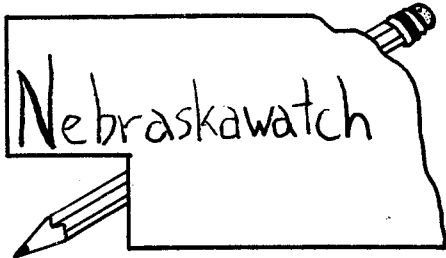
"Just because we did our best many years ago doesn't mean that we shouldn't consider addressing the real problems that... exist with this process today.... A lot of the members (of the Legislature) did a lot of good, hard work in the past. They worked with the information they had. Now we've got more information.... Let's keep our eyes open as we walk down this road."

Morrissey repeatedly evidences a desire to get straight answers. His search for a more complete understanding of the Compact-US Ecology agreement and its implications through seeking independent analysis from several sources illustrates his thirst for fact-based understanding. It also addresses one of the major facets of Nebraska's current waste disposal picture, one with far-reaching implications.

Morrissey challenged his colleagues to prove him wrong in concluding, after seeking independent analysis, that the Compact-US Ecology agreement is a "vehicle for the out-of-state power companies to take advantage of our...taxpayers." While Schmit sputtered that Morrissey's figures were "incorrect," he offered no independent substantiation.

In closing debate on 761, Morrissey succinctly explained the crisis: "The people we trust... they didn't tell us the many sides of (the) many issues."

Worthy ideas and concepts are capable of withstanding intense light. Despite Schmit's frantic yelps when anyone flips the switch on, it appears Nebraskans can look forward to a clearer view of many aspects of the nuclear waste issue enhanced by Spence Morrissey's floodlights.



## Illegal Lead Dumping

*Continued from 4*

Douglas County to remediate the lead now at 10th and Douglas, so what would stop them from taking a shortcut?

If you believe as I do that this dumper should be prosecuted, please let the mayor know, 444-5000, as well as S.P. Benson, 444-5150.

Dumpers need to know that we are watching them. So if you see a truck dumping dirt, try to get the licence plate or name off the truck and call the Health Department. Don't forget to follow up and find out what they were dumping.

Thomas Noonan  
2402 S. 6th St.  
Omaha

# 2,000 Doctors: USA Needs Health Plan Similar

Ten percent of Nebraskans lack any kind of health insurance. According to a report by Katherine Swartz of the Urban Institute in Washington, D.C., only 47.5% of self-employed farmers have non-group health insurance. LB 187, which placed responsibility for hospital care for the medically indigent with the state rather than the counties, was introduced in the last session of the Legislature, and will be on Select File next year.

The following three articles are excerpted from testimony given in Congress in March and April by representatives from Physicians for a National Health Program.

The new organization is concerned about rising health care costs and has proposed a plan modeled after Canada's.

## Replacing Multiple Healthcare Funding Sources with One Plan

The author is Dean Emeritus of the University of North Carolina School of Medicine and Professor of Medicine Emeritus of the University of North Carolina and of Boston University.

Our proposal calls for basic changes, not so much in the delivery of health services -- the relationship between patients and doctors or how hospitals operate -- but rather in the mechanism of financing health care. Preserved would be existing patterns of care: private and government hospitals. Changed would be the method of paying for health services. We propose that the chaos of multiple funding sources -- hundreds of private health insurance plans, multiple federal, state and local programs, various employment health insurance schemes -- be replaced by a single funding source which would be federally mandated and eventually federally funded. Our plan would resemble the Canadian national health program, modified as needed to fit U.S. conditions. Although our plan would be national in scope, we propose that it be administered largely at the state and local level.

Our proposal is presented in some detail in an article published in the January 12, 1989, issue of The New England Journal of Medicine. Let me quote from the published summary of our plan. "We propose a national health program that would (1) fully cover everyone under a single, comprehensive public insurance program; (2) pay hospitals and nursing homes a total (global) annual amount to cover all operating expenses; (3) fund capital costs through separate appropriations; (4) pay for physicians' services and ambulatory services in any of three ways: through fee-for-service payments with a simplified fee schedule and mandatory acceptance of the national health pro-

gram payment as the total payment for a service or procedure (assignment), through global budgets for hospitals and clinics employing salaried physicians, or on a per capita basis (capitation); (5) be funded, at least initially from the same sources as at present, but with all payments disbursed through a single pool; and (6) contain costs through savings on billing and bureaucracy, improved health planning, and the ability of the national health program, as the single payer for services, to establish overall spending limits."

Every resident of the United States would have equal access to health services without out-of-pocket costs; existing patterns of health care would be minimally disrupted; and the extremely costly process of billing multiple third party payers would be eliminated. In a 1986 paper in The New England Journal of Medicine two of our members demonstrated that 23 percent of U.S. health care costs were consumed by administration. We estimate that the system we propose would save 50 billion dollars per year that is now spent on billing and excess bureaucracy. This would cover much or even all of the added expense of care for the millions who are now grossly underserved.

We think it very important that the private insurance industry be removed from health care financing. Twelve percent of private health insurance premiums goes to profits and administrative overhead, while with medicare, our major present government insurance program, overhead is only 3 percent. To these costs of private insurance bureaucracy is added the tremendous cost we now must bear of billing multiple payers in doctors' offices and huge hospital billing departments.

## Insurance Companies Need More Effective Regulation and Oversight

by Peter Hiam

The author is former Chairman of the Massachusetts Health Facilities Rate Setting Commission (1978-82) and the Massachusetts Commissioner of Insurance (1983-1987).

In my opinion, the private insurance system is ill-equipped to perform its present function, let alone an expanded role. I note particularly the following:

- By its nature, the insurance industry attempts to exclude those who have the most pressing health care needs. Paradoxically, expansion of coverage will provide access to health care to those who need it least.
- The industry's underwriting practices are objectionable in a number of aspects and should not be expanded to cover additional Americans, especially those with existing health conditions. Particularly offensive is the industry's use of medical tests and the recording of test results and other medical conditions in a national data bank, available to the entire life and

health industry throughout the United States and Canada.

- Insurers are discriminators. Central to their business is risk assessment and classification of risks. Insurers compete by varying benefits and premiums according to levels of risk, and by excluding altogether those classes of risks found to be "uninsurable," either because of pre-existing health conditions or because the known risk would require the charging of prohibitively large premiums.
- Because of its marketing methods the private insurance system, including health insurance, has extremely high administrative costs.
- The insurance industry is not subject to effective regulation and public oversight. The industry has successfully resisted any federal regulation, and it is exempt from most antitrust laws.
- The present health care financing system has many deficiencies, chief of which is that it fails to cover the health care costs of millions of Americans. What is needed is thorough reform. Anything less will not suffice.

## That colored stamp:

Complimentary Copy

FINAL COMPLIMENTARY COPY

What does that colored stamp in the front page "subscription status" box have to do with the survival of this newspaper?

Everything.

Our project works well and is cost-effective. But it's not free. We need 2,000 people to fill out the coupon on page 2 in order to get established.

If the front page of this paper has a colored stamp on it, it's because we're depending on you to join. So get yourself on our mailing list.

And you won't miss a single issue.

FINAL ISSUE  
Please Consider Our  
Expenses When Renewing

MEMBERSHIP EXPIRES SOON  
Please Consider Our  
Expenses When Renewing

Nebraska needs this forum of independent ideas!



# to Canada's *In Canada, only \$223* Chrysler's U.S. Health Care Costs \$700 per Vehicle

by Lee A. Iacocca

Ten years ago, any red-blooded American business leader caught even whispering of the notion of national health insurance would have been asked to turn in his pin-stripe suit. And, of course, the medical establishment saw any greater government role in health care as the possible end of Western Civilization as we know it.

Well, don't look now, but there's a big crack in the dike. More and more business people are not just whispering but talking out loud about making health-care financing a government responsibility. And the prestigious New England Journal of Medicine, which had never before supported national health insurance, said in January that maybe it's time to try something new.

I'm not ready to turn over all the responsibility for health-care financing to Washington, but the reason the idea is getting more attention is simple. We've had a war on health-care costs in this country for over 10 years, and we've lost it. Those costs have gone up year after year at almost double the rate of inflation, and they now account for about \$550 billion a year, or over 11 percent of our GNP. In the United States, the only major country without some kind of national health-financing program, we spend much more than anybody else. Our per-capita health bill is 41 percent higher than Canada's, 61 percent more than Sweden's, 85 percent more than France's, 131 percent more than Japan's and a whopping 171 percent above Great Britain's.

If we were getting more for our money than the others, the higher price might make sense. But it's hard to see that we are. Our life expectancy is no better than the rest of the industrialized world, our infant mortality rate is one of the worst, and we have 37 million people without any health coverage at all.

So we have to ask why we're paying 3.5 times more for an appendectomy or hysterectomy in California than in Ontario, five times more for a coronary artery bypass, and seven times more for a simple electrocardiogram.

For businessmen like me, the issue is competitiveness. Health costs have become a major drain on America's ability to compete in the world.

That's because American business pays a substantial part of the cost of our overpriced system, those costs go directly into the price of our goods and that has the effect of an export tax when we try to sell abroad.

In the case of my company, over \$700 of the cost of producing a vehicle in the United States goes to pay for health care for employees, retirees and their families. But we have plants in Canada, too, and there our cost is only \$223 a car.

So, most of our foreign competitors have a \$300 to \$500 cost advantage over us just in health costs alone for every car and truck they build. We've got three times more health costs baked into our cars than Japan has, for example.

And the gap doesn't go away when a foreign company builds a plant here because there are no retirees to cover and the new work force is always younger, and therefore healthier.

We haven't stood idly by at Chrysler and just watched these health costs grow. We've had an aggressive cost containment program that has probably saved the company over \$1.3 billion since 1981. But even with that, our health costs have grown at the rate of 8.5 percent a year. (For American industry as a whole, it's been over 16 percent.) We can't afford it any longer, not if we're going to compete effectively.

So the "unmentionable" is getting mentioned in business circles: Maybe we should go to school on the national health-care systems in Europe and Japan, and design one for the United States. For any program to work, of course, government, management and labor would have to come together.

It is not a comfortable thought, however: the idea of turning over the job of financing health care to a government that hasn't balanced a budget in 20 years and which is already spending a half billion dollars a day more than it takes in.

And the \$100 billion S&L fiasco doesn't fill me with confidence that the feds can run something a hundred times more complex, like health care.

Still, every other country does it. But they also have some strict rules, and we'd need to adopt them to avoid bankrupting the country. A major reason our health costs are wildly out of control is that many Americans are able to demand more health-care services than they need. Every national system has to discipline itself, and that means denying some services that people may feel they're entitled to. So would we, and a lot of people wouldn't like it. But the competitive pressures to try something different are building.

The last big push for national health insurance came in the late '70s and it was shut off by the so-called "Voluntary Effort." That was the private commitment by doctors, hospitals, insurers, employers, unions and everybody else involved to curb rising health costs. Thousands of cost containment programs were created. No doubt they helped, but one look at the cost figures tells us they've barely made a dent.

National health insurance would be a huge risk, no doubt about it, given our lousy record in this country of federal financing of social services. If it isn't done intelligently

and with discipline, it could be an absolute disaster. But we're already running a big risk with a system that is wasting billions of dollars a year, that isn't buying us better health care, and that is sapping America's competitiveness.

The debate is likely to heat up again, and this time some of the old opponents will at least be willing to listen.

(C) 1989 L.A. Times Syndicate. Reprinted by permission.

## Franklin

Continued from page 1

"slipshod, superficial, and...incompetent manner," to use the words of State Sen. Ernie Chambers who served as vice chair of the committee. The belief persists that there are powerful Omahans who are pedophiles; were such people being protected? Were others--possibly prominent figures in the business, professional, and political scene so frequently associated with King--involved in the alleged sexual abuse?

## Grand Jury Must be Empaneled

It is the opinion of this paper that the time has come to begin the process of convening a county grand jury to investigate what the federal grand jury could not--allegations of child abuse--and to look into the charge of murder, mentioned publicly for the first time June 22. Even if people's worst fears are no more than rumor, it would be worthwhile to shut down the rumor mill. Even if the statute of limitations will prevent indictments for some charges, there will still be a value in finding out why the investigation process was so stifled. Let's put all the suspicions to rest.

We understand that the process, if initiated by citizens, requires signatures from 10 percent of those who voted in the last gubernatorial election. Contact this paper for further information.

## PLANNING MEETING

for the  
Counter Press Club

— BALL —

(held in October)

Wed., July 5, 7:30  
3719 Hamilton  
Omaha

For further information, contact: Physicians for a National Health Program, The Cambridge Hospital/Harvard Medical School, 1493 Cambridge Street, Cambridge, Massachusetts, 02139.

Telephone: 617-661-1064

# Feds Help Tobacco Industry Push Death Abroad

by Colman McCarthy

WASHINGTON--Next month C. Everett Koop leaves office. Departure stories are predictable: A Surgeon General who came to Washington as a hero of conservatives leaves eight years later a darling of the liberals. Score one for progress.

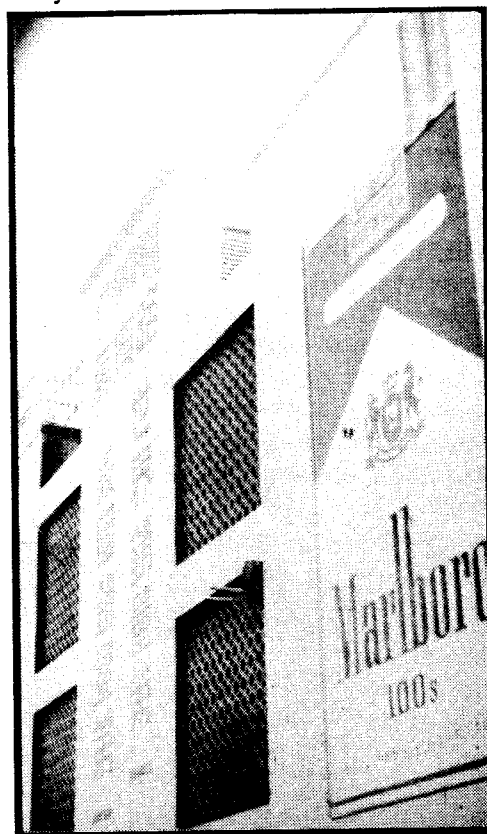
My scorecard is about different ratings, life and death. With smoking still the leading cause of death and disability in the United States, Koop leaves as militantly as he came: the elimination of smoking--*elimination*, not control or decrease--as the main goal of the Surgeon General's agenda. In 1984, he called for a "smoke-free society by the year 2000." With per-capita cigarette consumption declining each year, Koop may get closer to his goal than he or the tobacco companies believed possible.

But only in the United States. Cigarette manufacturers, losing at home, are winning abroad. In a recent speech at Harvard, Koop, in words all public-health officials should be using, said cigarette companies that market in Asia, Africa and Latin America represent "the most disgraceful examples of private enterprise gone amok...I am appalled by this corporate behavior of American companies and, further, I am shocked by our government's support of such behavior."

What has provoked this unprecedented language is the industry-government partnership in hustling cigarette death and disease to foreign markets in ways that are illegal in the United States. The Marlboro Man, unsaddled for U.S. television and radio, finds foreign airwaves a vast and friendly prairie on which to peddle cancer.

The Worldwatch Institute reports on the results of U.S. firms' recent entry into Japan: "Cigarette ads, two-thirds of them American, now saturate Japanese prime-time television. In May, 1987...1,905 Western-style cigarette commercials aired on five Japanese stations, an eightfold increase in one year. Cigarettes now rank second in

total advertising time, up from 40th place two years earlier."



Hong Kong billboard circa 1980.

Translation: "Marlboro--Number One in the USA, Number One in the World." (Photo by FGM.)

Last October, R.J. Reynolds International opened a \$21 million cigarette factory in Xiamen, China. Some 300 Chinese workers, using both U.S. tobacco and local blends, are producing 2.5 billion cigarettes annually. It's a seller's paradise: 70 percent of China's adult males are smokers. To R.J. Reynolds' delight, Camels and Winstons are sold in China with none of the death-and-disease warnings required by U.S. law.

A Reynolds spokeswoman defends the no-warning policy: "We think it's presumptuous of us to tell a foreign country how to run its business." This solicitude is edifying and no doubt R.J. Reynolds stockholders see their executives as corporate humanitarians upholding democratic choice in China, where these days it's needed.

Behind the Reynolds' posturing is the absence of corporate ethics that drew the contempt of the Surgeon General. Because China's dictators require no health warnings on cigarette packs--meaning they don't much care whether their smoking citizens live or die--does that free R.J. Reynolds to be equally uncaring? In the world of profit and loss, it does.

A smokescreen used for the exporting of death has been Section 301 of the Trade Act of 1974. It empowers the U.S. Trade Representative to impose sanctions on countries that have bans or barriers against

competition from American producers, including cigarette companies. A message to Third World governments has been, light up or else. According to Worldwatch, tobacco markets in Taiwan, Korea and Japan were pried open this way in the last years of the Reagan administration. Once in, cigarettes are promoted with all the deceit and aggressiveness that are the glory of U.S. tobacco advertising. As if citizens of poor nations of the world didn't have enough health problems from malnutrition, dirty drinking water and scarcity of medicine, now they have dollar-hungry Americans promoting cancer, heart disease and emphysema.

As he leaves office, Everett Koop says that his "one regret" is that he goes "just as the fight is beginning to rid the rest of the world of the scourge of tobacco. It's a shame, because I really feel up to it."

No one doubts it. Nor is there uncertainty among other U.S. public-health officials of the worth of the Tobacco Export Reform Act before Congress. The bill would require warning labels for exported cigarettes, as well as impose on U.S. companies the same advertising restrictions abroad that are found here. House hearings are pending. For expert testimony, let Koop be called first. He'll be around. So will the issue.

©1989 Washington Post Writers Group

## WASHINGTON



Mark Alan Stamaty

### To My Patients Who Smoke (And to Their Health)

I hope this idea makes a hit And brightens your day just a bit.

I love you most dearly And offer sincerely

Free cleanings to those who have quit.

Frances Mendenhall, D.D.S.  
551-2629

# Catholic Workers Defy Berkeley Law, Feed Poor

Reprinted by permission National Catholic Reporter, P.O. Box 419281, Kansas City, Mo. 64141.

by Bill Kenkelen

BERKELEY, Calif.--"It's got everybody smiling--the cops, the students and especially the homeless," said Trish Maniatis, a member of the Catholic Worker community here that deposited a complete cafe via truck on the grounds of People's Park here early this month.

The cafe, which Catholic Worker members acknowledge "is completely illegal," was secreted before dawn to the park without even most members of the 30-member Catholic Worker community knowing the date.

Catholic Worker members said the secrecy was needed because it would have been much easier for police to stop delivery of the cafe than remove it once installed.

Now that the cafe is there, a fight is expected. "We could end up in Santa Rita (the county jail) at any time," said Maniatis, "but it hasn't happened yet."

Already, the University of California, which owns People's Park, has issued demands that the cafe be removed.

"But," said Catholic Worker community coordinator John Cooper, "they did not give us a date to leave or threaten to evict us." Cooper said five volunteer attorneys are ready to do battle with the university about the fate of the cafe.

"This is a bold defiance" of the law, said Cooper, "but we're not defying the poor of the park. They seemed very pleased we are here."

The 3-year-old Catholic Worker community has been feeding the homeless who congregate at People's Park for almost that long from the back of a truck.

During these years, the Catholic Workers raised about \$20,000 in small donations, a significant portion of which came from regular, special collections at nearby St. Mary Magdalene Church.

With an additional \$10,000 donation from St. Martin De Porres soup kitchen in San Francisco, the Catholic Worker community here finally had the \$30,000 needed to build and install the cafe.

The cafe is serving breakfast from 8 a.m. to 9:30 a.m. and coffee and donuts from 7 a.m. until noon.

"We're not very political people," said Cooper, explaining the Catholic Worker community's reluctance to get involved in the ongoing political battle about People's

Park, which has been going on at varying degrees of intensity for at least two decades.

"We just want to feed the poor and be as gracious to them as possible. We're not interested in dialoguing with the university about the future of the park. We screen the people who work with us to make sure they're motivated by love. We don't want those who focus on political activism, especially those who want to get back at the university."

Coincidentally, the Catholic Worker Cafe arrives exactly 20 years after the People's Park riots, which started after the university fenced off the park after local political activists said the university land belonged to the people and was the "cultural, political freak-out and rap center for the Western world."

The riots garnered international attention. Then Governor Ronald Reagan called in the National Guard, and the city lived under a state of emergency for three months.

Now, 20 years later, the university still wants to build student dormitories, while others want the park left to the people who use it most--the homeless.

"We're not trying to make a statement," said Maniatis. "We're just cooperating with grace. We needed more than a truck to feed people from."

A homeless man who calls himself White Eagle said, "Everybody thinks this (the cafe) is fantastic. It's a great place to come share your energy with other folks."

The cafe was still standing late last week.

## Omaha Catholic Workers Give No-Strings Shelter

FGM

Members of the Catholic Worker movement have been caring for the homeless in Omaha as long as anyone else, possibly longer. They staff St. Anthony House, and the Dorothy Day House. Their philosophy puts them in contrast to the staffs of more institutional shelters; their goal is to provide hospitality with virtually no strings attached, and for this reason, they resist efforts to impose what others might see as standards of professionalism on what they do.

For instance, some such as Kathleen O'Connor of Vincent House, organizer of the Alliance of Family Shelters, would argue that providers of services to the homeless have an obligation not to enable long-term dependency; therefore they should take steps to prevent a client's going from shelter to shelter, without making any progress. O'Connor favors a system of communication between shelters which would enable each intake worker to pick up where the

previous institution left off.

Rich Koeppen of St. Anthony House sees things differently. Although he acknowledges the value of continuity of services, he believes that there is a fine line between assistance and control. "I don't want somebody's immediate or long-term history to color their relationships here," he said. "Tensions are a result of the environment, not the individual."

O'Connor has begun a client data base which she hopes will provide each shelter with helpful client information. She cited an example of a mother who lived alternately in Nebraska and New York and was suspected of selling Ritalin prescribed in each state for her son, but selling it on the street. If such information were already available, it would be good to have about a client, she argues.

That is not Koeppen's idea of service to the poor. "I don't put conditions (i.e., 'progress') on hospitality," he said, although when

pressed was able to think of an exception when rules had to be enforced because a man with a knife was threatening other guests. "We only have two rules here: no drugs or alcohol and no fighting."

Also rejected is the idea of soliciting donations for tax purposes. Catholic Workers have traditionally refused to become tax-exempt organizations, believing that charity should have only one motive. This is not a surprising m.o. coming from a group that is almost always unsalaried.

There seems to be plenty of room for both points of view. The number of homeless continues to rise, and their situations become more varied. While the Catholic Worker idealists may appear to have fewer "success stories"--if success is measured by putting people back on the tax rolls, they undoubtedly make a difference in lives of people that other parts of our system fail to reach. "Not everyone, after all, is capable of self-sufficiency," says Koeppen.

## Seattle Announcer Presents Exxon President with Eight Demands

by Russell W. Baker

Mike Siegel, a talk-show host on KING radio in Seattle, who early on took a lead in organizing the Exxon boycott, claims that, according to one report, 28,000 Exxon credit cards had been returned by May 2. Siegel himself has been sent hundreds of cards, and last week he delivered three bags of mail protesting Exxon's actions to company president Lee Raymond. The two met for an hour, and Siegel presented him with a letter containing eight demands. The demands could be the basis for discussion at the shareholders meeting. They are:

1. In the future, Exxon must use only double-hulled tankers.

2. Exxon must pay for the cleanup--which means restoring the area to its pristine condition--entirely from its own revenues, without raising prices at the pumps. Exxon must also forgo any tax benefits it

might get from the spill and cleanup.

3. Exxon must compensate all small gas station dealers for losses incurred during the boycott (although Exxon claims this is technically illegal, there are reportedly ways it can be done).

4. Exxon must compensate everyone in the Prince William Sound area who has been economically harmed, including businesses that suffer indirectly.

5. Exxon must use its lobbying power to get better navigational aids, better radar, and state-of-the-art upgrading for the Coast Guard.

6. Exxon must file plans for an immediate response to future spills, and insure that such plans would be in place 24 hours a day, 365 days a year. The final version would be published in full-page ads across the country as a commitment by Exxon, listing the type of personnel to be used and details of

the equipment that would be available.

7. Exxon must upgrade its tanker fleet.

8. Exxon must place \$100 million in a 20-year trust, administered by a designated environmentalist group, to pay for the cleanup

of long-term effects of the disaster.

Siegel says if there is no satisfactory response, the boycott will continue indefinitely.

©1989 Village Voice. Reprinted with permission

## Prince William Sound's Black Spring

"It tore up its own face," says Richard Newman, a slender, tired-looking photographer from Burbank, California. He makes a motion with his hands, scraping down from his eyes across his cheeks. "It scratched out its eyes because of the hydrocarbons. It died with its paws folded on its chest, where they stopped from the scratching. I saw another otter that had chewed off a paw. A black-tailed deer was stuck in the oil. And I saw a starfish, still alive, but half-eaten through by crude."

When Newman stepped onto the beach at Knight Island, his first response was to throw up. It's a common reaction that comes in part from disgust but mainly from the toxic fumes.

Knight Island is in excess of 100 square miles. "The fishermen say the area normally swarms with birds, but now they're not there," Newman says. "Maybe they're dead and washed under. Maybe they flew away."

©1989 Village Voice. Reprinted with permission



# Roads Hog Taxes that Rail System Deserves

by Skip Laitner

Imagine this. Nebraska has taken the lead--in the gas tax arena, of all things. Starting in July, the state gasoline tax will rise 3.5 cents to a record 22.3 cents per gallon. The tax hike is expected to pull in another \$32 million per year for the state highway system.

The Department of Roads argued for the increase, saying it needed the new funds to properly maintain its 20-year road plan. The final vote on the tax hike came earlier this month before the state Board of Equalization.

Gov. Orr, a member of the board, was absent for the vote. Her absence was in sharp contrast to earlier comments that she would approve the tax hike only if Nebraskans favored the increase. I don't remember being asked, do you?

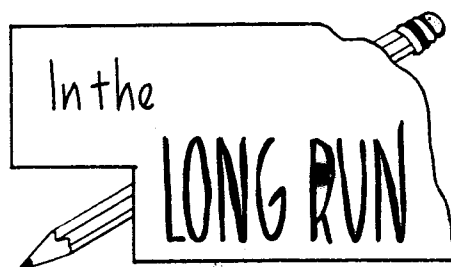
On the surface it seems like we've got to pay the price. The money is needed to bring the state's roads and bridges up to new standards. That's something I won't argue with.

Without the tax hike, the Department of Roads argues, we might not be able to

maintain the road-building program as it is now planned. And that is my concern. Should we be making some different plans?

What are we getting by building all these new roads? The numbers I come up with suggest, among other things, more highway carnage and more dependence on foreign oil.

Looking at the data in the U.S. Statisti-



cal Abstract shows highway travel to be considerably less safe than train travel. For example, for every 100 miles of the present federal highway system, about four people die each year. That same figure for railroads is less than one person per year.

Shipping the nation's manufactured

goods by highway uses more than four times the energy of rail shipments. That means considerably more air pollution in Nebraska and the U.S.

Every year the nation's highway departments dump more than \$30 billion into our road system. Nebraska's figure approaches \$400 million annually. But those figures are not the full story.

If car and truck drivers were to pay the full cost of highway travel--the complete cost of road building and maintenance, traffic regulation and police activity, accidents and related health care, and, finally, tax losses from the land dedicated to the automobile instead of more productive uses--the cost of gasoline might be as much as \$4.50 per gallon.

One conservative study estimates that, when the full cost of maintaining automobiles are accounted, the American taxpayer shells out \$2,400 in various subsidies for every passenger car using the road in the United States. That does not include the growing impact of environmental costs associated with the automobile.

The problem is one of balance. On the one hand, we heavily subsidize bus and truck

travel by building highways entirely with public funds. A study by a former colleague of mine suggested, for instance, that while trucks pay a large amount of taxes, they cost the public treasury an extra 4 cents for every ton-mile of freight shipped.

On the other hand, railroads receive very little in public subsidies. They must own their own right-of-way in order to make shipments--unlike trucks and buses. They must also pay taxes on that right-of-way. And they are required to maintain their own traffic-control system.

This rather uneven playing field makes it difficult for railroads to compete with highway travel. It also contributes to the growing inefficiency in our transportation system.

It is not that I object to a higher gas tax as such. Given no other alternative, it must be paid. What I don't like is the economic straitjacket we've been forced to wear. A hard look at the future suggests we ought to be doing more to bring our railroad system into the 21st Century, or somewhere down the road we shall pay an even greater price.

©1989 Skip Laitner. All Rights Reserved.

# World Nuke Industry Limiting Reactor Scrutiny

by Kemp Houck

Kemp Houck is a member of the Mid-America Coalition for Energy Alternatives and an associate professor of English at the University of Kansas.

"N-Power Officials Share Wisdom" was the way the World-Herald headlined it on June 8. The occasion was the presence of OPPD President Fred Petersen and recently retired NPPD President Don Schaufelberger along with 40 other American utility officials at the founding of the Moscow branch of the World Association of Nuclear Operations (WANO). Soviet authorities, said Petersen, allowed the two Nebraskans into places in a Leningrad reactor "where we certainly would not take people in our plant. Not because it's secret in our plant...but because our systems and procedures are different."

WANO has been on quite a media honeymoon with the establishment of its other offices in London, Paris, and Tokyo over the past year. A flattering article in the normally critical Bulletin of the Atomic Scientists portrays WANO's global expansion as the product of the "idealistic enthusiasm" of the leaders of the American nuclear industry.

This notion would raise a few howls in the offices of Ralph Nader's Public Citizen or the Nuclear Information and Resource Service, which for some years have been

fighting a bare-knuckled information war against WANO's parent organization, the Institute for Nuclear Power Operations (INPO), based in Atlanta.

INPO, operating as the industry's own self-appointed NRC, has been increasingly successful in keeping unwelcome informa-

*'An important consideration is to limit the amount of information that is generated for potential worldwide distribution, since experience shows that having too much information is not useful.'*

*--Nuclear News*

tion away from public scrutiny. For example, last year Public Citizen published Who's at the Controls, a 200-page study of INPO's dominance over the training and accreditation of reactor operators and technicians. As a result, despite the NRC's congressionally-mandated training oversight, fewer and fewer operators are being tested by the NRC.

Even more ominous is INP's Nuclear Plant Reliability Data System (NPRDS), a reporting system for plant accidents and malfunctions which has increasingly displaced the NRC's Licensee Events Report (LER) system. The LER system can be monitored--

in some cases with an online computer--at NRC Local Public Document Rooms (LPDRs) located near every nuclear plant, but INP's system is closed to the public and above all is not subject to Freedom of Information Act (FOIA) inquiries. INPO allows NRC to see some of its data, but only under a signed FOIA-proof agreement.

Among the 22 LERs for 1988 from Mr. Petersen's own plant, Ft. Calhoun, kept on file at the LPDR in the Omaha Public Library, quite a few raise serious questions about the plant's waste and safety practices. On 4 May, the NRC levied a \$125,000 fine for procedural violations concerning radiation protection standards; also in May three radiation protection technicians failed their requalification training. In October a steamfitter was hospitalized with potential contamination. Ft. Calhoun is presently operating in Category 2 on the NRC's list of problem plants, meaning that it is permitted to operate only under intensive NRC supervision. One step away is Category 1--NRC-mandated shutdown.

This is the kind of information WANO/INPO would like to be screened from the public. This philosophy was coolly stated by the head of WANO's international secretariat, Thomas Eckered, in the November 1988 issue of the official publication of the American Nuclear Society, Nuclear News: "An important consideration is to limit the amount of information that is generated for

potential worldwide distribution, since experience shows that having too much information is not useful."

Surely Big Brother in Orwell's 1984 couldn't have put it better. Global privatization of vital public health and safety information is what WANO is all about. Fred Petersen to the contrary, the Soviet people have been getting a much better education about their nuclear industry in recent years than the American people, thanks primarily to the continuing shock effect of the Chernobyl disaster.

Indeed, as Mr. Petersen says, our system is different. Rather than police-state tactics, corporate green and government cronyism have sufficed well enough to turn Savannah River, Rocky Flats and Hanford into National Sacrifice Zones. But the remedy for all such evils is our desire to know the hard facts about our nuclear system. In the words of Supreme Court Justice Louis Brandeis, "Sunshine is the best disinfectant."

## MEN

Interested in a feminist supportive men's movement? Help plan monthly events, films, speakers, men's support groups. Come to an organizing meeting Sunday, July 23, 7 PM at the First Unitarian Church, 3114 Harney. For further information, call Jack Dunn, 551-2552.